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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,008	09/20/2001	Charles Smith-Semedo	3912-4	1308

7590 12/23/2003

Nixon & Vanderhye
1100 North Glebe Road 8th Floor
Arlington, VA 22201-4714

EXAMINER

COBY, FRANTZ

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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Office Action Summary

Application No.

09/806,008

Applicant(s)

SMITH-SEMEDO ET AL.

Examiner

Frantz Coby

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This is in response to application filed on September 20, 2001 in which claims 1-23 are presented for examination.

Status of Claims

Claims 1-23 are pending.

Information Disclosure Statement

The information disclosure statement filed September 20, 2001 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file and the information referred to therein has not been considered as to the merits.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119/365 which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Townsend et al. US Publication 20020133513.

As per claims 1, Townsend et al. disclose "a media logging system for indexing media, comprising: a timer object that provides a time reference upon request in connection with the media; and a logger object that logs predefined events that occur in the media by associating the events with respective time reference from the timer object" (See Draper et al. Abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend et al. US Publication 20020133513 in view of Jeppesen RE. 35,658.

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Townsend et al. did not disclose the claimed limitations of "wherein the logger object includes a graphical user interface having a plurality of interface objects -that can be selected by a user of the logging system in order to log events that occur in the media". On the other hand, Jeppesen disclose a

Art Unit: 2171

computerized court reporting system including a computer that primarily incorporates a graphical user interface (See Jeppesen Figure 6, component 24).

It would have been obvious to combine the log note system of Townsend with the computerized court reporting system of Jeppesen because that would have allowed Jeppesen's system to be implemented in both audio and video environment.

As per claims 3-4, most of the limitations of these claims have been noted in the rejection of claim 2 above. As to the claimed features such as labels corresponding to predetermined events that may typically occur in the particular media being logged. It is obvious to have labels in court reporting system and transcription environments because labels are essential. In addition, both Townsend et al. and Jeppesen provides logging in court reporting media, but silent on using these media for logging sporting events. However, one of ordinary skill in the art at the time of the invention would have found it obvious to use these logging media in other environments including in sports environments because that would have enhanced logging for sporting events.

As per claims 5-11, Jeppesen discloses the features of claim 2 above. In addition, Jeppesen discloses "wherein the graphical user interface is customizable to correspond to types of events that occur in the particular media being logged" "wherein the system includes an arrangement that automatically togs predefined events in the media being logged based on video analysis"; "the system includes an arrangement that automatically togs predefined events based on text analysis"; "the system includes an

Art Unit: 2171

arrangement that automatically logs predefined events based on audio analysis”;
“wherein the system includes a video server that captures logged events and digitally stored the captured events as media segments”; “wherein the user interface includes a feature that enables the media segments to be selectively retrieved and viewed”;
“wherein the feature includes a search engine that enables logged events to be searched using various search parameters” (see Jeppesen Figure 6 and corresponding text).

As per claim 12, Townsend et al. disclose “a media asset management system for managing media assets, comprising: a logging application that creates indexes of events that occur in the media; a video server that captures and digitally stores events logged by the logging application as media segments” (See Townsend et al. Abstract). Townsend et al. did not disclose, “a search and retrieval engine that enables the media segments to be located and retrieved based on the indexes”. On the other hand Jeppesen provides mechanism for searching and retrieving as a means for searching (See Jeppesen Col. 4, lines 63-66).

It would have been obvious to combine the log note system of Townsend with the computerized court reporting system of Jeppesen because that would have allowed Jeppesen’s system to be implemented in both audio and video environment.

As per claim 13, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Townsend et al. did not disclose the claimed

limitations of "wherein the logger object includes a graphical user interface having a plurality of interface objects -that can be selected by a user of the logging system in order to log events that occur in the media". On the other hand, Jeppesen disclose a computerized court reporting system including a computer that primarily incorporates a graphical user interface (See Jeppesen Figure 6, component 24).

It would have been obvious to combine the log note system of Townsend with the computerized court reporting system of Jeppesen because that would have allowed Jeppesen's system to be implemented in both audio and video environment.

As per claims 14-15, most of the limitations of these claims have been noted in the rejection of claim 2 above. As to the claimed features such as labels corresponding to predetermined events that may typically occur in the particular media being logged. It is obvious to have labels in court reporting system and transcription environments because labels are essential. In addition, both Townsend et al. and Jeppesen provides logging in court reporting media, but silent on using these media for logging sporting events. However, one of ordinary skill in the art at the time of the invention would have found it obvious to use these logging media in other environments including in sports environments because that would have enhanced logging for sporting events.

As per claims 16-19, Jeppesen discloses the features of claim 2 above In addition, Jeppesen discloses "wherein the graphical user interface is customizable to correspond to types of events that occur in the particular media being logged" "wherein

Art Unit: 2171

the system includes an arrangement that automatically togs predefined events in the media being logged based on video analysis”; “the system includes an arrangement that automatically togs predefined events based on text analysis”; “the system includes an arrangement that automatically logs predefined events based on audio analysis”; “wherein the system includes a video server that captures logged events and digitally stored the captured events as media segments”; “wherein the user interface includes a feature that enables the media segments to be selectively retrieved and viewed”; “wherein the feature includes a search engine that enables logged events to be searched using various search parameters” (see Jeppesen Figure 6 and corresponding text).

As per claims 20-23, all the limitations of these claims have been noted in the rejection of claims 1-19. They are therefore rejected as set forth above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 703 305-4006. The examiner can normally be reached on Monday - Friday from 10:30AM -10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Safet Metjahic can be reached on 703 308 1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2171

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 3900.

A handwritten signature in black ink, appearing to read "Frantz Coby".

Frantz Coby
Primary Examiner
Art Unit 2171

December 13, 2003